

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BILLY ROY TYLER,	)	
	)	
Plaintiff,	)	8:04cv94
	)	
vs.	)	ORDER
	)	
STEPHEN J. CERVENY,	)	
	)	
Defendants.	)	

This matter is before the court on filing no. 59, the motion for leave to amend complaint filed by the plaintiff, Billy Tyler. This case is on appeal, and accordingly, no further action will be taken by the court at this time.. Filing no. 59 is denied.

SO ORDERED.

DATED this 28<sup>th</sup> day of April, 2005.

BY THE COURT:

s/ RICHARD G. KOPF  
United States District Judge